

REMARKS

Restriction Requirement

The Examiner has required restriction to one of the following species:

Species A, claims 2, 3, 4, 5, 9, and 14, allegedly drawn to the following species:

- (i) information on bio-events, as in claims 2 and 14;
- (ii) information on biomolecules hierarchized, as in claim 3;
- (iii) information on biomolecule pairs, as in claim 4; and
- (iv) information on disease-related information, as in claims 5 and 9.

Species B, claims 17-19, allegedly drawn to the following species:

- (i) information on quantitative or qualitative changes of biomolecules, as in claim 17;
- (ii) information on gene expression, as in claim 18; and
- (iii) information on protein expression, as in claim 19.

Election with Traverse

In order to be responsive to the requirement for restriction, Applicants elect Species (i) “information on bio-events, as in claims 2 and 14” from the Species A “Group,” and Species (i) “information on quantitative or qualitative changes of biomolecules, as in claim 17” from the Species B “Group,” with *traverse*. Applicants submit that at least Claims 1-2, 6-8, 10-16, 17, and 20-25 read on the elected invention.

Traverse

Notwithstanding the election of Species (i) from the Species A “Group” and Species (i) from the Species B “Group” in order to be responsive to the Restriction Requirement, Applicants respectfully traverse the Examiner’s requirement for restriction.

The Examiner has stated that there is an examination and search burden for the above-listed species. In particular, the Requirement for Restriction alleges that the above-listed species require different fields of search; and/or the prior art applicable to one species would not likely be applicable to another species; and/or the species are likely to raise different non-prior art issues under 35 U.S.C. § 101 and/or 35 U.S.C. § 112, first paragraph.

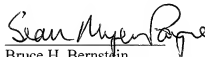
In response, Applicants submit that the Office has not met its initial burden with respect to establishing a “serious burden” with respect to examining all of the species set forth in the Requirement for Restriction. In particular, Applicants respectfully request that all of the species as set forth in the Requirement for Restriction be examined in the instant application, pursuant to the guidelines set forth in M.P.E.P. § 803. That is, the Examiner is respectfully requested to reconsider the requirement and find that there would not appear to be a “serious burden” on the Patent and Trademark Office in examining claims directed to the non-elected species.

In particular, it would appear that a search for the species identified by the Examiner would significantly overlap. That is, if the Examiner were to perform a search for Species (i) of the Species A “Group,” there would not appear to be a serious burden in continuing the examination of Species (ii) from that same Species A “Group.” Similarly, if the Examiner were to perform a search for Species (i) of the Species B “Group,” there would not appear to be a serious burden in continuing the examination of Species (ii) from that same Species B “Group.”

For this reason, and consistent with the Office policy as set forth in M.P.E.P. § 803, Applicants respectfully request that the Examiner reconsider the Requirement for Restriction, and withdraw the same so as to give an examination on the merits on all of the claims pending in this application, for which Applicants have timely paid appropriate claim fees.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
Nobuo TOMIOKA et al.


Bruce H. Bernstein
Reg. No. 29,027 42,920

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GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191